

Date of Deposit August 1, 2001

08-02-01 USRP  
CPA 1642/16  
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# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:

☐ DUPLICATE

Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, D.C. 20231

Attorney Docket Number of Prior Application	6066.US.01 (1700/20)
First Named Inventor	P. A. Billing-Medel et al.
Examiner Name	K. Canella
Group Art Unit	1642
Express Mail Label No.	EL 811 328 244 US

This is a request for a ☒ continued prosecution application (CPA) of prior application number 09/049,695, filed on March 27, 1998, entitled "Reagents and Methods Useful For Detecting Diseases of the Gastrointestinal Tract."

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. § 371. A notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific request required by 35 U.S.C. § 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

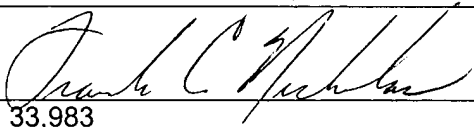
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR § 1.53(d)(4).
  - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_
  - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
  - ☐ PTO-1449
  - ☐ Copies of IDS Citations

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (j))	6- 20* =	0	x \$ 18.00	\$ _____
	INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (i))	2- 3** =	0	x \$ 80.00	_____
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))			+ \$ 270.00	_____
				BASIC FEE (37 C.F.R. § 1.16(a))	_____
	Total of above Calculations =				_____
	Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).				_____
	* Reissue claims in excess of 20 and over original patent.				_____
	** Reissue independent claims over original patent.				_____
	TOTAL =				\$ _____

4. ☐ In calculating the filing fee, please cancel claims \_\_\_\_\_ without prejudice to later presentation.
- ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
5. Small entity status:
- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.
6. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 01-0025:
- a. ☒ Fees required under 37 C.F.R. § 1.16.
- b. ☒ Fees required under 37 C.F.R. § 1.17.
- c. ☐ Fees required under 37 C.F.R. § 1.18.
7. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.
8. ☒ Other: Declaration of Phillip Hemken Under 37 CFR 1.132 including FIG. 1 and Petition and Fee for Three Month Extension of Time.

**NOTE:** The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

9. NEW CORRESPONDENCE ADDRESS			
Name:			
Address:			
Country:	USA	Telephone:	Fax:

10. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Name:	FRANK C. NICHOLAS
Signature:	
Registration No.:	33,983
Date:	August 1, 2001

**CARDINAL LAW GROUP**  
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